

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

CASE NO. 1:18-CV-120

v.

HON. ROBERT J. JONKER

JEFF VOS,

Defendant

ORDER

Defendant has filed yet another paper (ECF No. 38), which amounts to a request for reconsideration of the Court's earlier disposition of the case. In particular, Defendant believes he asserted a counterclaim that this Court should adjudicate. In fact, this Court has held—repeatedly—that Defendant did not file a counterclaim, and that there is nothing left to adjudicate in this case.

Accordingly, Defendant's latest motion (ECF No. 38) is **DENIED**. Plaintiff has filed a response to Defendant's latest motion, though Plaintiff has no obligation to do so under the Local Rules. Plaintiff asks not only for a denial of the Defendant's latest motion, but also for an injunction against further such filings by the Defendant. The Court does not lightly enjoin anyone from filing papers, and will not do so here. The Court does, however, sometimes impose monetary sanctions on parties that abuse the filing process. Defendant's behavior is approaching the threshold for consideration of a sanction like that. Defendant should be guided accordingly.

This case is over. If Defendant believes he has a claim against Plaintiff, he should file a new lawsuit that properly asserts it. If he believes this Court erred, he should file an appeal. If he

has some other basis for relief that has not already been tried and rejected—repeatedly—he may, of course file it. But simply repeating losing arguments in new filings is an abuse of the process and may lead to an appropriate sanction.

Dated: November 2, 2018

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE